

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

In Re:

JASON RANDALL SPILLER

Debtor.

**Case No. 13-12670-NLJ
Chapter 13**

**TRUSTEE'S OBJECTION TO CLAIM NUMBER 12 WITH
NOTICE OF REQUIRED RESPONSE AND NOTICE OF OPPORTUNITY
FOR HEARING COMBINED WITH NOTICE OF HEARING DATE**

COMES NOW, John Hardeman, Chapter 13 Trustee ("Trustee"), and pursuant to 11 U.S.C. Section 502, Rules 3001 and 3007 of the Federal Rules of Bankruptcy Procedure, and Local Bankruptcy Rule 3007-1, objects to Claim Number 12 filed by WELLS FARGO BANK NA in the amount of \$22,102.05 based on the following:

WELLS FARGO BANK NA filed a Claim for an arrearage on a mortgage. The Claim was not provided to be paid through the Chapter 13 Plan. As a result, the Claim may not be paid by the Trustee and should be disallowed solely for the reason that it was not provided for by the Plan.

WHEREFORE, the Trustee respectfully requests that Claim Number 12 filed by WELLS FARGO BANK NA in the amount of \$22,102.05 be disallowed in its entirety solely for the reason that it is not provided to be paid through the Plan.

**NOTICE OF OPPORTUNITY FOR HEARING
AND NOTICE OF REQUIRED RESPONSE**

Your rights may be affected. You should read this document carefully and consult your attorney about your rights and the effect of this document. If you do not want the Court to grant the requested relief, or you wish to have your views considered, you must file a written response to the requested relief within the time allowed under Local Rule 9013-1.D. The response must be filed with the Clerk of the United States Bankruptcy Court for the Western District of Oklahoma, 215 Dean A. McGee Avenue, Oklahoma City, OK 73102 no later than 14 days from the date of filing of this request for relief. You should also serve a file-stamped copy of your response to the undersigned movant (and others who are required to be served) and file a certificate of service with the Court. If no response is timely filed, the Court may grant the requested relief without a hearing or further notice pursuant to Local Rule 9013-1.E. **The 14 day response period provided by Local Rule 9013-1.D. includes the three (3) days allowed for mailing provided for in Bankruptcy Rule 9006(f).**

**NOTICE OF HEARING
(TO BE HELD ONLY IF A RESPONSE IS FILED)**

Notice is hereby given that if a response to the Trustee's Objection to Claim is filed, the hearing on the Objection to Claim shall be held on January 28, 2014, at 9:45 a.m., in the Second Floor Courtroom of the United States Bankruptcy Court for the Western District of Oklahoma, 215 Dean A. McGee Avenue, Oklahoma City, OK 73102. If no response is timely filed and the Court grants the requested relief prior to the above-referenced hearing date, the hearing will be stricken from the docket of the Court.

Respectfully Submitted,

s/John Hardeman

John Hardeman, Trustee
321 Dean A. McGee Avenue
PO Box 1948
Oklahoma City, OK 73101
13trustee@chp13okc.com
Tel: (405) 236-4843
Fax: (405) 236-1004

CERTIFICATE OF MAILING

This is to certify that on the December 16, 2013, a true and correct copy of the foregoing document was served by U.S. Mail, first class, postage prepaid, on the following:

JASON RANDALL SPILLER
7301 S LEE BLVD
APT 501
LAWTON, OK 73505

WELLS FARGO BANK NA
MAC D3347-014
3476 STATEVIEW BLVD
FORT MILL, SC 29715

s/John Hardeman

John Hardeman, Trustee

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